

No. 4940-4L-75/16250.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad, in respect of the dispute between the workmen and the Management of M/s National Laboratories 20 Mathura Road, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 198 of 1974

between

SHRI KALAM SINGH RANA WORKMAN AND THE MANAGEMENT OF M/S NATIONAL
LABORATORIES, 20, MATHURA ROAD, FARIDABAD

Present:—

Shri Lakshmi Narain Kashier, Industrial Workers Union, Faridabad.

Shri K. P. Aggarwal, for the management.

AWARD

By order No. ID/FD/74/37678, dated 19th November, 1974 of the Governor of Haryana, the following dispute between the management of M/s National Laboratories, 20, Mathura Road, Faridabad and its workman Shri Kalam Singh Rana, was referred for adjudication to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Kalam Singh Rana was justified and in order?
If not, to what relief is he entitled?

On receipt of the order of reference, the parties were called upon to put in their respective pleadings. The workman concerned has not filed any statement of claim in spite of getting several adjournments and on the last date it was pointed out that he should positively file the statement of claim by today and this should be treated as the final adjournment for the purpose. No statement of claim has, however, been filed and his representative Shri Lakshmi Narain, office bearer of the union has stated that he has no instructions from the workman to proceed with the reference.

On the other hand, the management has pleaded that Shri Kalam Singh Rana, the workman concerned was appointed purely on temporary basis and for a fixed period from 1st March, 1974 to 31st May, 1974 and as such his services automatically stood terminated on the expiry of the said period. This plea of the management has been fully substantiated by oral as well as documentary evidence. Shri K. P. Aggarwal authorised representative of the management sworn testimony to the above effect. He has further provided the appointment letter of the workman Exhibit M-1 which speaks for itself. It has clearly been mentioned in this letter that his appointment was for the period from 1st March, 1974 to 31st May, 1974 and would automatically stand terminated on the expiry of this period. The appointment letter is signed by Shri Kalam Singh Rana and witnessed by Shri Charanjit Singh. Shri K. P. Aggarwal has further stated that this workman had remained absent from duty continuously from 22nd April, 1974 onwards without any proper authorisation and in spite of the letter dated 21st May, 1974 Exhibit M-2 he had not reported for duty.

In view of the above I am satisfied that the workman concerned has no well founded claim for reinstatement or re-employment for the simple and obvious reason that his appointment being for a specified period the same stood automatically terminated on the expiry of that period. The management did nothing to terminate his services for which any justification might be required.

The workman, in the result, is not entitled to the relief of reinstatement or re-employment but he would be at liberty to collect his unpaid dues, if any, from the management on any working days during working hours. The award is made accordingly. There shall be no order as to costs.

The 16th April, 1975.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 771, dated 6th May, 1975

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

The 16th April, 1975.

O. P. SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad